

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 3, 5, 8, 9, 11, 13, 16, and 18-24 have been amended. Claims 32 and 33 have been added while claims 2, 6, 7, 17, and 25-31 have been canceled. Thus, claims 1, 3-5, 8-16, 18-24, 32, and 33 are pending.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1, 11, 19, and 22

Claims 1, 11, 19, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Reichmeyer, U.S. Patent No. 6,286,038, in view of Hunter, U.S. Patent No. 6,363,422. The Applicants submit, however, that the references do not render claims 1, 11, 19, and 22 obvious because *the cited references do not teach sending a request for or receiving an alert detection parameter within the options field of a network bootstrap protocol packet*, such as DHCP.

Claim 1 recites:

dynamically sending, by a client alert module integrated with a client device, a request within the options field of a network bootstrap protocol packet for at least one alert detection parameter as well as an alert destination address from a first remote server;

receiving, by the client alert module, the requested alert detection parameters and alert destination address within the options field of a network bootstrap protocol packet;

using a received alert detection parameter to detect alerts during and after boot-up of the client device...

Claims 11, 19, and 22 similarly recite alert detection parameters obtained within the options field of a network bootstrap protocol.

Reichmeyer teaches a method of remotely configuring a network device using a network bootstrap protocol (DHCP), but makes no mention of doing so by sending configuration data within the options field of a DHCP packet (col. 3, lines 55-67. col. 4, lines 1-43). Reichmeyer does teach that additional information, beyond the scope of the DHCP specification, is included in the DHCP packets by way of “proprietary extensions,” but Applicant is unable to find any portion of Reichmeyer that equates “proprietary extensions” with the options field of a DHCP, or other network bootstrap protocol, packet. In fact, Reichmeyer does not define proprietary extensions at all.

Even assuming, merely for the purposes of argument, that Reichmeyer’s proprietary extensions are equivalent to the options field of a DHCP packet, Reichmeyer still does not teach that the equivalent of a client alert module sends a *request* for certain configuration parameters within the options field of a DHCP packet. Reichmeyer teaches that a standard DHCP request message is sent. However, a standard DHCP request message is not to be confused with the request recited in claim 1. The standard DHCP request is defined by the DHCP specification and is a request for an IP address. Reichmeyer does not teach that a client device modifies the standard DHCP request message (or any other DHCP packet) by including an additional request for specific parameters within the options field of the packet. Rather, Reichmeyer teaches that the client sends the standard DHCP request and that the DHCP server decides what configuration information is needed after determining the identity of the sender (col. 6, line 13). That is not the same as a client sending a request for a specific parameter (i.e. heartbeat interval), beyond what is normally included in a DHCP request, and the DHCP server responding appropriately, not with configuration parameters that the server has

determined the client to be in need of, but with additional parameters (beyond those requested in a standard DHCP request) that the client has asked for within the options field of the packet.

Furthermore, Reichmeyer teaches that the server does not actually send configuration information that is used to configure the device (again, referring to information beyond that included within the DHCP protocol), but rather directs the device to the location of such information (col. 4, lines 38-43; col. 6, lines 11-13; col. 12, lines 38-40). In contrast, claim 1 recites that the actual configuration parameter is received within the options field of a network bootstrap protocol packet and is used directly to configure the device to detect alerts, rather than the options field containing only the location of such a parameter.

Thus, the applicant submits that Reichmeyer does not teach sending a request for or receiving a parameter within the options field of a network bootstrap protocol packet. Without discussing whether Hunter teaches the remaining elements of claims 1, 11, 19, and 22, which is not conceded, Applicant notes that Hunter is not cited to, nor does it, make up for the noted deficiencies of Reichmeyer. Therefore, Applicant submits that claims 1, 11, 19, and 22 are patentable over the references because no combination of Reichmeyer and Hunter can teach every recited element of the claims.

Claims 3-5, 8-10, 12-16, 18, 20, 21, 23, 24, 32, and 33

Each of claims 3-5, 8-10, 12-16, 18, 20, 21, 23, and 24 stands rejected as being unpatentable over various combinations of Reichmeyer, Hunter, and Cromer, U.S. Patent 6,353,854. However, each of these claims, as well as new claims 32 and 33, depends

from and includes the limitations of one of independent claims, 1, 11, 19, and 22.


Whether or not Cromer teaches the claim limitations it is cited as teaching, it is not cited to compensate for the deficiencies of Reichmeyer with respect to the corresponding independent claims. Therefore, claims 3-5, 8-10, 12-16, 18, 20, 21, 23, 24, 32, and 33 are not rendered obvious by the references for at least the same reason as set forth with respect to the independent claims.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1, 3-5, 8-16, 18-24, 32, and 33 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: Aug 25, 2004


Paul A. Mendonsa
Attorney for Applicant
Reg. No. 42,879

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(503) 439-8778